

ATTORNEY DOCKET NO.: 041514-5129-01

U.S. Patent Application of:

Masahiro KATO et al.

Application No.: 10/698,422

Date Filed: November 3, 2003

For: RECORDING MEDIUM AND  
APPARATUS AND METHOD FOR  
MANUFACTURING THE SAME

Group Art Unit: Unassigned

Examiner: Unassigned

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

### **INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe that a fee is due for filing this paper.

The listed documents were cited in a European Search Report dated December 30, 2003.

A copy of the European Search Report is enclosed for the Examiner's consideration.

Copies of the listed documents are attached.

The following document listed on the attached PTO Form 1449 is enclosed and is in a language other than English: JP 2000-11460. As for relevance, an English language Abstract is provided for the document. Also for relevance, the document is cited in the attached European Search Report.

Applicants request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO Form 1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "Prior Art." If it should be determined that any of the listed documents do not constitute "Prior Art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over any of the listed documents, should the document be applied against the claims of the present application.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: February 25, 2004

**Customer No. 009629**

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**INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

**PTO Form 1449**

 Attorney Docket No.  
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Applicant(s): Masahiro KATO et al.

**PAGE 1 of 1**

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**U.S. PATENT DOCUMENTS**

*Examiner Initial	Document Number	Date	Name	Class	Sub Class	Filing Date
	4,996,682	Feb. 26, 1991	Yanagihara et al.	369	275.4	Oct. 20, 1988

**FOREIGN PATENT DOCUMENTS**

Document Number	Date	Country	Class	Sub Class	Translation YES NO	
EP 1 043 714	Oct. 11, 2000	Europe				
EP 0 786 767	Jul. 30, 1997	Europe				
JP 2000-11460	Jan. 14, 2000	Japan (w/ English- language abstract)				X
WO 01/01404 A1	Jan. 4, 2001	WIPO				

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**


Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.